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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/835,116	04/13/2001	Songxiang Wei	M-11126 US	4214

7590

03/08/2004

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EXAMINER

PATEL, HARESH N

ART UNIT

PAPER NUMBER

2154

10

DATE MAILED: 03/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/835,116

Applicant(s)

WEI, SONGXIANG

Examiner

Haresh Patel

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2004.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-24 are presented for examination.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: "A method to consider overlapping of non-shared applications over shared OpenGL applications in a data conference system".

3. The abstract of the disclosure is objected to because it is missing key terms involved in the invention, for example, data conference system, to periodically capture of a screen shot and to transmit it to the viewer, etc. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Salesky et al. 6,343,313 (Hereinafter Salesky) in view of applicant's admitted prior art (AAPA), as disclosed in the non-final action paper number 8 mailed on 10/29/03.

Response to Arguments

Applicant's arguments filed 1/14/04 have been fully considered but they are not persuasive.

Applicant argues (1) Salesky in view of Applicant's admitted prior art (AAPA) does not disclose "the position and size of any particular capture area is defined by the position and size of a first region related to one application and the position and size of another region related to some other application. Thus, there is no teaching or suggestion of, wherein the position and the size of the non-OpenGL region and the position and the size of the OpenGL region define a position and a size of the shared application window", page 14. The examiner disagrees. Saleskey teaches that multiple regions associated with their respective applications can be displayed on the presenter client computer display screen. The size and position of each region of the multiple regions characterize the size and the position of the "captured region", i.e., shared window, which is sent to the remote viewers. (e.g., col., 10, lines 46- col., 14, line 6, col., 1, line 49 – col., 4, line 48, col., 35, lines 22 - 28). Salesky also teaches that the displayed regions on the screen can be any different applications, which the presenter client can display on the display screen. (e.g., col., 10, lines 46- col., 14, line 6, col., 1, line 49 – col., 4, line 48, col., 35, lines 22 - 28). AAPA teaches OpenGL region maintained by the OpenGL application and Non-OpenGL region maintained by the Non-OpenGL application. (e.g., page 16, line 14 – page, line 9). Therefore examiner believes the combination of Salesky's and AAPA teaches the limitation as disclosed above.

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Applicant argues (2) Salesky in view of Applicant's admitted prior art (AAPA) does not disclose the claimed limitations of claims 9 and 17, page 15. The examiner disagrees. Saleskey teaches that multiple regions associated with their respective applications can be displayed on the presenter client computer display screen. The size and position of each region of the multiple regions characterize the size and the position of the "captured region", i.e., shared window, which is sent to the remote viewers. (e.g., col., 10, lines 46- col., 14, line 6, col., 1, line 49 – col., 4, line 48, col., 35, lines 22 - 28). Salesky also teaches that the displayed regions on the screen can be any different applications, which the presenter client can display on the display screen. (e.g., col., 10, lines 46- col., 14, line 6, col., 1, line 49 – col., 4, line 48, col., 35, lines 22 – 28, non-final action paper number 8 mailed on 10/29/03). AAPA teaches OpenGL region maintained by the OpenGL application and Non-OpenGL region maintained by the Non-OpenGL application. (e.g., page 16, line 14 – page, line 9). Therefore examiner believes the combination of Salesky's and AAPA teaches the limitation of claims 9 and 17.

Conclusion

6. Examiner makes a note that the independent claims do not reflect what the applicant considers as an invention, i.e., "There is no way for the presenter **to selectively share application windows with the viewer**. What is needed is an improved method for sharing applications during a **data conference**", page 2, lines 12-20. Also, refer to figure 6.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (703) 605-5234. The examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to 8:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee, can be reached at (703) 305-8498.

The appropriate fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Haresh Patel

March 4, 2004



JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100